

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

S1 17-cr-0357 (LAK)

DAVID BLASZCZAK, et al.,

Defendants.  
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**ORDER**

LEWIS A. KAPLAN, *District Judge*.

In view of the defendants' unexpected decision to rest their case in chief tomorrow, the parties should be prepared to address as soon as tomorrow afternoon the questions whether a conscious avoidance charge should be given in this case, the factual predicate underlying the government's request for such a charge, and the nature of any such charge. It would be especially helpful to have a brief written statement of the factual basis or bases on which the government rests its request together with transcript and exhibit references as promptly as possible.

SO ORDERED.

Dated: April 22, 2018

/s/ Lewis A. Kaplan

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Lewis A. Kaplan  
United States District Judge